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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
EDGAR RENE HUIZAR,)
)
Defendant.)

No. CR 07-0157 MHP

~~[PROPOSED]~~ ORDER AND
STIPULATION EXCLUDING TIME
FROM APRIL 23, 2007 TO MAY 7, 2007
FROM THE SPEEDY TRIAL ACT
CALCULATION (18 U.S.C.
§ 3161(h)(8)(A) & (B)(iv))

The parties appeared before Your Honor on April 23, 2007, for an initial appearance (at which time the United States moved for detention), and on April 26, 2007, for a detention hearing (at which time the defendant waived the detention hearing). The case was set for an initial appearance before the Honorable Marilyn Hall Patel on May 7, 2007. Based on the agreement of the parties, and with the consent of the defendant, the Court enters this order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) & (B)(iv), from April 23, 2007 to May 7, 2007.

STIPULATION AND ~~[PROPOSED]~~ ORDER
CR 07-0157 MHP

The parties agreed, and the Court found and held, as follows:

1. The parties agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny both government and defense counsel reasonable time necessary for effective case preparation because the parties are still engaged in discovery, case discussions, and plea negotiations. The exclusion was also granted to allow continuity of counsel, since AUSA Frick was out of town and unavailable from April 23 to May 3, 2007.

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from April 23, 2007 to May 7, 2007 outweighed the best interest of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

3. Accordingly, and with the consent of the defendant, the Court ordered that the period from April 23, 2007 to May 7, 2007 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO STIPULATED.

DATED: May 15, 2007

/S/
ERIKA R. FRICK
Assistant United States Attorney

DATED: May 11, 2007

/S/
RON TYLER
Attorney for Edgar Rene Huizar

IT IS SO ORDERED.

May 17, 2007
DATED: _____

